

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL GUNN, Personal Representative of
the Estate of KEILEE FANT, *et al.*,

Plaintiffs,

v.

CITY OF FERGUSON, MISSOURI

Defendant.

Case No. 4-15-CV-00253-AGF

(Class Action)

**SUPPLEMENTAL SUBMISSION IN SUPPORT OF MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT AND SETTLEMENT CLASSES,
AND FOR PERMISSION TO DISSEMINATE NOTICE**

Plaintiffs Personal Representative of the Estate of Keilee Fant, Deceased,¹ Roelif Carter, Allison Nelson, Herbert Nelson Jr., Alfred Morris, Anthony Kimble, Donyale Thomas, Shameika Morris, and Ronnie Tucker, on behalf of themselves and all others similarly situated (the “Class Representatives” or “Plaintiffs”) hereby provide this supplemental submission in support of their Motion for Preliminary Approval of Class Settlement and Settlement Classes, and for Permission to Disseminate Notice. ECF No. 668.

1. On January 31, 2024, Plaintiffs filed a Memorandum in Support of their Motion for Preliminary Approval of Class Settlement and Settlement Classes, and for Permission to Disseminate Notice (“Memorandum”). ECF No. 669.

2. The following exhibits were attached to the Settlement Agreement (ECF No. 669-1), which was attached as Exhibit 1 to the Memorandum:

- Exhibit A, Proposed Order Granting Preliminary Approval of Class Action Settlement and Settlement Classes, and Permission to Disseminate Notice (ECF

No. 669-2);

- Exhibit B, [Proposed] Order and Final Judgment Granting Final Approval of Class Action Settlement (ECF No. 669-3);
- Exhibit C, Postcard Notice (ECF No.669-4);
- Exhibit D, Long Form Notice (ECF No. 669-5); and
- Exhibit E, Publication Notice (ECF No. 669-6).

3. Since the Memorandum was filed, Plaintiffs have conferred with the Court and with opposing counsel regarding edits to optimize the proposed notice and to discuss the timeline for class notice and the Final Approval Hearing. Defendant does not contest any of the proposed edits.

4. Based on those discussions, Plaintiffs hereby submit the attached amended versions of Exhibits A–E. Please note that in Amended Exhibits A, C, and D, the deadline for eligible persons to opt out or object to the Settlement is 57 days before the Final Approval Hearing instead of the 60 days set out in paragraphs 5.3 and 2.23 of the Settlement Agreement. Moreover, when application of the timeframes set out in the Settlement Agreement resulted in a weekend or holiday deadline, we have, per the rules, made the following business day the deadline in our proposed schedule in Amended Exhibit A and, as applicable, the other amended exhibits. Defendant is in agreement with the proposed schedule.

For the reasons laid out in the Memorandum, Plaintiffs move this Court for an order preliminarily approving the terms of a proposed class action settlement; approving the form and method of providing Notice of the Settlement to Eligible Persons; and scheduling a Final Approval Hearing regarding the Settlement.

Respectfully submitted,

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